

ORIGINAL

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Attorney for Defendants

FILED
Clerk
District Court

MAR 13 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT

FOR THE

NORTHERN MARIANA ISLANDS

KRISSANA SANUSAT, SUMANG
SETSUWAN, VACHINAPORN
NGAMWONG, RATREE DITWISET,

Plaintiffs,

v.

JK & S CORPORATION and
KYUNGTAI KIM,

Defendants.

CASE NO. CV 05-0002

**DECLARATION OF COUNSEL IN
SUPPORT OF MOTION TO
WITHDRAW**

I, Danilo T. Aguilar, hereby declare;

1. I am an attorney licensed to practice before all courts of the CNMI. I have personal knowledge of the matters stated herein and would be competent to testify to them if called to do so.

2. I was retained by Defendants to represent them in the above-entitled matter.

3. On or about September, 2005 up until February 26, 2006, I had no knowledge of the Defendants whereabouts;

1 4. I tried all possible means of communication to contact them but
2 based upon information and belief, Mr. Kyungtai Kim has abandoned JK & S
3 Corporation and has left the CNMI;

4 5. I have tried contacting Mr. Kim at his places of residence and
5 business location on island, however, no one seems to know where he is;

6 6. On or about January 13, 2006, I mailed a letter informing Mr.
7 Kim of his arrears and about my intention to withdraw as his counsel if he does
8 not contact my office within the time allotted. *See copy of letter hereto attached*
9 *as Exhibit "A"*

10 7. Since the time the letter was mailed until this date, Mr.
11 Kyungtai Kim has not contacted my Office nor replied to my letter;

12 8. On or about February 26, 2006, my wife informed me that Mr.
13 Kyungtai Kim and his Filipina common-law wife were living in Urdaneta,
14 Pangasinan, Philippines;

15 9. I went to the house where they were allegedly staying. However,
16 Mr Kyungtai Kim and his common-law wife were not there, only their daughter
17 who attends school in the Philippines was there with his wife's relatives;

18 10. I asked his wife's relatives to let Mr. Kim know that I had
19 stopped by their home and to have him call my cell phone in the Philippines or my
20 office in Saipan;

21 11. Mr. Kim did not call me during the time I was in the Philippines
22 nor has he called my office;

Law Offices of
DANILO T. AGUILAR
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Danilo T. Aguilar *

January 11, 2006

VIA U.S. MAIL
WITH RETURN RECEIPT

Kyungtai Kim
PMB 449 Box 10000
Saipan, MP 96950

**RE: Sanusat et al v. JK & S Corporation and Kyungtai Kim,
Case No. CV 05-0002; Notice of Intent To Withdraw**

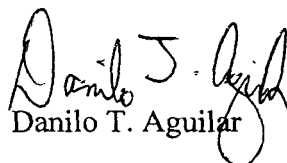
Dear Mr. Kim:

It has come to my attention that you have not been current with your payments on the judgment. At present you are in arrears of about \$5,000.00 from August to December, 2005. In addition, there is also an unpaid balance of almost \$2,000.00 for legal services fees for my office which you have not paid. If I do not receive any payment by close of business on Friday, January 27, 2006, I shall file a motion to withdraw as your counsel.

In addition to these issues of your failure to comply with the order in aid of judgment and your financial obligations to my office, you have not informed us of your whereabouts. I have gone to your former residence and your former place of business only to find out that you no longer occupy those spaces. Please contact my office upon receiving this letter.

If you have any further questions, please do not hesitate to contact me at your convenience.

Very truly yours,


Danilo T. Aguilar



* Licensed to practice before the Courts of the CNMI, Guam and Hawaii

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Sent To	Kyungtai Kim
Street, Apt. No., or PO Box No.	PMB 499 Box 1000
City, State, ZIP+4	San Juan MP 96950

PS Form 3800, June 2002 See Reverse for Instructions